

**CITY OF EUREKA
CITY COUNCIL/
REDEVELOPMENT AGENCY
AGENDA**

Marian Brady 1st Ward
Linda Atkins 2nd Ward
Mike Newman 3rd Ward
Melinda Ciarabellini 4th Ward
Lance Madsen 5th Ward



Frank J. Jäger, Mayor

**REGULAR MEETING
TUESDAY, MAY 3, 2011
CLOSED SESSION 5:00 P.M.
REGULAR SESSION 6:00 P.M.
COUNCIL CHAMBER
531 K STREET
EUREKA, CA 95501**

David Tyson, City Manager
Pam Powell, City Clerk
William Bragg, Interim City Attorney

CLOSED SESSION

If closed session items cannot be completed by 5:55 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the next regular meeting.

A. PUBLIC COMMENT PERIOD

(Limited to 3 minutes each speaker on closed session agenda items only)

B. Conference with legal counsel-anticipated litigation

Significant exposure to litigation: one case.

Pursuant to California Government Code Section 54956.9(b)

C. Conference with real property negotiators

Property: APN 009-044-005 (Lot adjacent to Winzler Child Center)

Agency negotiator: David W. Tyson for the City of Eureka

Negotiating Parties: Eureka City Schools

Under negotiation: Price, terms and conditions

Pursuant to California Government Code Section 54956.8

REGULAR SESSION – 6:00 P.M.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR'S ANNOUNCEMENTS

Presentation of Proclamations:

1. National Bike Month
2. Older Americans Month – Gray Matters
3. National Association of Letter Carriers
Annual Food Drive Day

COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

Councilmember Brady: Healy Building Progress Report

PUBLIC HEARINGS

Public Hearings are scheduled for a time certain of 6:00 P.M. unless noticed otherwise, or as soon thereafter as possible.

1. Public Hearing – Resolution Confirming and Ordering Special Assessments for Unpaid Garbage and Recycling Collection Fees
Recommendation:
 1. Conduct a public hearing to hear any objections or protests regarding the attached “Report of 2010 Fees for Garbage and Recycling Collection”; and
 2. Make adjustment as deemed just; and
 3. Adopt attached Council Resolution providing for collection of fees.

(Public Works)
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PUBLIC COMMENT PERIOD

This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. Pursuant to City Council Resolution No. 2011-22, City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. The public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.

Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

2. Is there any person in the audience who wishes to address the Council at this time?
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CONSENT CALENDAR

Notice to the Public: *All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Pursuant to City Council Resolution 2011-22, if a member of the public would like an item on the Consent Calendar pulled and discussed separately, the request shall be made to a Councilmember prior to the meeting. Unless a specific request is made by a Councilmember, the Consent Calendar will not be read. There will be no separate discussion of these items.*

3. Council meeting minutes.

Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of April 5, 2011 and special Council/Redevelopment Agency Board meeting minutes of March 17, 2011 as submitted.
(City Clerk)

4. Bike to Work Day Rally

Recommendation: Sponsor Bike to Work Day rally on Thursday, May 19, 2011 at the Old Town Gazebo.
(City Manager)

5. Purchase of Ballistic Vests

Recommendation: Accept Broese's Uniforms bid of \$30,396.60 for the purchase of (26) ballistic vests.
(Police Chief)

6. Redwood Coast Montessori School Use Agreement Extension and Fee Waiver Request

Recommendation: 1. Authorize a one year extension of the Use Agreement for the Cooper Gulch Recreational Building with Redwood Coast Montessori School; and
2. Deny Redwood Coast Montessori School's request to waive the zone reclassification fee.
(Engineering)

7. Integrated Pesticide, Herbicide and Fertilizer Management Plan

Recommendation: Adopt Integrated Pesticide, Herbicide and Fertilizer Management Plan, guidelines for an environmentally sensitive approach to pest management for the City's Park Division.
(Public Works)

ORDINANCES/RESOLUTIONS

8. Medical Cannabis Ordinance

Recommendation: Waive reading, read by Title only, and adopt, Bill No. 835-C.S., an ordinance of the City of Eureka amending title 15, Chapter 158 Medical Cannabis: Cultivation, Processing and Distribution.

(Community Development)

REPORTS/ACTION ITEMS

9. Appointment of Representative to the Humboldt Bay Municipal Water District's Water Task Force

Recommendation: Appoint one regular and one alternate Council representative to the Water Task Force.

(City Manager)

10. Redistricting Commission Hearings

Recommendation: 1. Authorize the Mayor to execute a letter to the Citizens Redistricting Commission requesting a hearing on the redistricting process be held on the North Coast; and
2. Offer to the Citizens Redistricting Commission the use of a City venue at no charge for the purpose of holding the hearing.

(Councilmember Newman)

CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

Request from County of Humboldt to present a review of their multi-family rezoning program and an explanation of the re-zoning site selection process.

2011/12 Budget Calendar

ADJOURNMENT

If open session items cannot be completed by 9:30 P.M., the meeting may be adjourned to the next regular meeting or Council may vote to extend the meeting.

NOTICES

- The City Council agenda and supporting documents are available for public review on the Friday afternoon prior to the Tuesday meeting at the City Clerk's Office, the Eureka Humboldt County Library and on-line at www.ci.eureka.ca.gov.
- The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon the request and consensus of the Mayor and Council.
- Any writing that is a public record not exempt from public disclosure and relating to an agenda item for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Room 207, Eureka, CA 95501.
- The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 72 hours in advance of the meeting. This agenda and other materials are available in alternate formats upon request.
- All persons in attendance at public meetings are requested to observe the following rules of civil debate:
 1. We may disagree, but we will be respectful of one another.
 2. All comments will be directed to the issue at hand.
 3. Personal attacks are unacceptable.

Applauding or other displays of approval/disapproval are discouraged.

- Regular City Council/Redevelopment Agency meetings are broadcast live by Humboldt Access on Cable Channel 10. Council meetings can also be viewed on line at www.accesshumboldt.net – Search archives “Eureka City Council Meetings”.
- To minimize distractions, please be sure all personal communication devices are turned off or on silent mode.

Questions? Please e-mail ppowell@ci.eureka.ca.gov or contact the City Clerk's office at (707) 441-4175.